

REMARKS

Claims 7-19 and 21-31 are pending. Claims 20-31 are newly added. Claims 1-6 and 14-16 are canceled herein. Claim 20 was previously canceled. Claims 7 and 17 are amended herein. No new matter has been added as a result of the amendments.

35 U.S.C. §103 Rejections

Claims 1, 2, 4, 5, 7-12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (U.S. 6,389,532) in view of Boyle et al. (U.S. 6,212,636). Applicant respectfully submits that the embodiments of the present invention as recited in Claims 1, 2, 4, 5, 7-12 and 14-16 are neither anticipated nor rendered obvious by Gupta et al. (U.S. 6,389,532) in view of Boyle et al. (U.S. 6,212,636). It should be appreciated that rejected Claims 1, 2, 4, 5 and 14-16 have been canceled.

Examiner is respectfully directed to currently amended independent Claim 7, which is drawn to a method for a network infrastructure copy protection system. Claim 7 is reproduced below in its entirety for convenience of the Examiner.

7. A restricted data format method for a network infrastructure copy protection system, comprising:
receiving a digital content file for transmission across a distributed computer network;
examining data comprising the content file to determine whether the content file includes a restricted data format, the examining performed within the distributed computer network;
transmitting the content file when data comprising the content file does not include the restricted data format; and

blocking transmission of the content file when data comprising the content file does include the restricted data format to prevent unauthorized downloading of copyrighted material, wherein the blocking is effected prior to a transmission of the content file to a receiver.

Claims 8-13 depend from Claim 7 and set forth additional limitations of the Claimed invention (Claims 1, 2, 4, 5 and 14-16 have been canceled).

Gupta et al. in view of Boyle et al. does not anticipate or render obvious the embodiment of the claimed invention as is set forth in Claim 7. This combination is deficient as Gupta et al. does not teach or suggest each of the limitations of Claim 7 and Boyle et al. does not remedy this deficiency of Gupta et al. In particular, Gupta et al. does not teach or suggest a copy protection system that includes blocking transmission of a content file when the content file does not include a restricted data format to prevent unauthorized downloading of copyrighted material “wherein the blocking is effected prior to a transmission of the content file to a receiver” as is recited in currently amended independent Claim 1 (Claim 7 contains similar limitations). And, Boyle et al. does not teach or suggest this limitation to remedy Gupta et al.

In contrast, Gupta only discloses a method for using digital signatures to prevent wasting of router bandwidth and resources on processing packets associated with unauthorized senders. Specifically, Gupta discloses a method and apparatus for using digital signatures to filter packets in a network in order to avoid wasting router bandwidth and resources on processing packets associated with unauthorized senders (column 1, lines 56-60).

However, nowhere in the Gupta reference is there disclosed a copy protection system that includes blocking transmission of a content file when the content file does not include a restricted data format to prevent unauthorized downloading of copyrighted material “wherein the blocking is effected prior to a transmission of the content file to a receiver” as recited in currently amended Claim 7. Consequently, Gupta does not show or suggest the Applicant’s invention as is set forth in Claim 7. Therefore, the Applicant respectfully submits that Gupta does not anticipate or render obvious the present claimed invention as recited in currently amended Claim 7, and as such, Claim 7 is in condition for allowance. Moreover, Claims 8-12 dependent on Claim 7 are likewise in condition for allowance (rejected Claims 1, 2, 4, 5 and 14-16 have been canceled).

Boyle does not teach or suggest subject matter that would remedy the deficiencies of Gupta noted in the discussions above. In particular, Boyle does not teach or suggest a copy protection system that blocks transmission of a content file when the content file does not include a restricted data format to prevent unauthorized downloading of copyrighted material “wherein the blocking is effected prior to a transmission of the content file to a receiver” as is recited in currently amended independent Claim 7.

Boyle merely discloses a method for establishing trusted communications with associations for communications between users on an Internet Protocol based computer network. More specifically, Boyle is directed to a secure network interface unit (SNIU), which is utilized to control communications between a user such as a computer host and a

network at a “session layer” of interconnection which occurs when a user on the network is identified and a communication session is to commence (column 3, lines 50-57).

Nowhere in the Boyle reference is there disclosed a copy protection system that blocks transmission of a content file when the content file does not include a restricted data format to prevent unauthorized downloading of copyrighted material “wherein the blocking is effected prior to a transmission of the content file to a receiver” as is set forth in Claim 7.

Accordingly, the Applicant respectfully submits that Gupta in combination with Boyle neither anticipates nor renders obvious the present claimed invention as is recited in Claims 8-13 which depend from amended independent Claim 7 (rejected Claims 1-6, 14, 15 and 16 have been canceled).

Claims 3, 6, 13 and 17-19 are rejected under 35 U.S.C.(a) as being unpatentable over Gupta et al. (U.S. 6,389,532) in view of Boyle et al. (U.S. 6,212,636), and further in view of Gibbs et al. (U.S. 6,085, 321). Gibbs does not teach or suggest a modification of Gupta et al. in view of Boyle that would remedy their deficiencies as outlined above. More specifically, Gibbs does not teach or suggest a copy protection system that blocks transmission of a content file when the content file does not include a restricted data format to prevent unauthorized downloading of copyrighted material “wherein the blocking is effected prior to a transmission of the content file to a receiver” as is set forth

in Claim 7 (from which claim 13 depends and as set forth in Claim 17 from which Claims 18 and 19 depend).

By contrast, Gibbs merely discloses a method for a unique digital signature. More specifically, Gibbs is directed to a unique digital signature comprising a service that features the use of an adapted digital signature where the adapted digital signature provides temporary or restricted privileges for a particular electronic service (column 2, lines 10-20). Nowhere in the Gibbs reference is there disclosed a copy protection system that blocks transmission of a content file when the content file does not include a restricted data format to prevent unauthorized downloading of copyrighted material “wherein the blocking is effected prior to a transmission of the content file to a receiver” as is set forth in Claim 7.

Consequently, the Applicant respectfully submits that Gibbs either alone or in combination with Gupta and Boyle does not anticipate or render obvious the present claimed invention as set forth in amended Claims 7 and 17. Further, the Applicant also respectfully submits that Gupta alone or in combination with Boyle and Gibbs does not anticipate or render obvious the present claimed invention as set forth in Claims 13 and 18-19 dependent on Claims 7 and 17 respectively (Claims 3 and 6 have been canceled). As such these Claims overcome the Examiner’s basis for their rejection under 35 USC 103(a).

SUMMARY

In view of the foregoing remarks, the Applicant respectfully submits that the pending claims in the instant patent application are in condition for allowance. The Applicant respectfully requests reconsideration of the Application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact James Hao at the below listed phone number.


Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Dated: 11/8, 2006

Address:

Telephone:


Reginald A. Ratliff
Registration No. 48,098
Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060 Voice
(408) 938-9069 Facsimile